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18 Attorneys for Defendant Venetian Casino Resort, LLC

19
20 **UNITED STATES DISTRICT COURT**
FOR THE DISTRICT OF NEVADA

21 MUSTAFA YOUSIF and SHARONE
22 WALKER on behalf of themselves and all
others similarly situated,

23 Plaintiffs,

24 vs.

25 LAS VEGAS SAND CORP.; THE
26 VENETIAN CASINO RESORT, LLC; and
DOES 1 through 50, inclusive,

27
28 Defendants.

Case No.: 2:16-cv-02941-RFB-NJK

STIPULATION AND ORDER TO ALLOW
DEFENDANT TO FILE AN OPPOSITON
BRIEF WITH EXCESS PAGES AND FOR
THE PARTIES TO FILE REPLY BRIEFS
WITH EXCESS PAGES

(FIRST REQUEST)

1 Pursuant to LR IA 6-2 and LR 7-3, Defendant Venetian Casino Resort, LLC (“Defendant)
 2 and Mustafa Yousif and Sharone Walker (collectively, “Plaintiffs”), by and through undersigned
 3 counsel, hereby stipulate and jointly request leave to allow Defendant to file its brief opposing
 4 Plaintiffs’ Motion for Class Certification Pursuant to Federal Rule of Civil Procedure 23 in excess
 5 of the twenty-four (24) page limitation by six (6) pages. In addition, the Parties both request leave
 6 to file Reply briefs in excess of the twelve (12) page limitation by three (3) pages. This is the
 7 Defendant’s first request for leave to file opposition briefs in excess of the page limitations, and the
 8 Parties’ first request for leave to file reply briefs in excess of the page limitations.

9 On September 30, 2022, Plaintiffs filed their Notice of Motion and Motion for Class
 10 Certification Pursuant to Federal Rule of Civil Procedure 23 (ECF No. 228), and Defendant filed its
 11 Motion to Decertify Collective Action (ECF No. 229). The Parties must oppose each other’s Motion
 12 by November 18, 2022. On November 9, 2022, Plaintiffs filed their Motion for Leave to File Excess
 13 Pages (ECF No. 231). The Court granted Plaintiffs’ Motion on November 14, 2022. (ECF No. 232).
 14 Additionally, the Court previously granted Plaintiffs’ Motion for Leave to File Excess Pages as to
 15 Plaintiffs’ Motion for Class Certification Pursuant to Federal Rules of Civil Procedure 23 (ECF No.
 16 226) to which Defendant is now responding.

17 The Parties have engaged in voluminous discovery in this case, including, but not limited to
 18 a discovery Questionnaire propounded to each of the FLSA Opt-In Plaintiffs, 143 sworn
 19 declarations, over 5,800 pages of documents, 2 million lines of KRONOS data, several expert
 20 reports, the depositions of the Named Plaintiffs Yousif and Walker, depositions of thirteen (13) Opt-
 21 In Plaintiffs, the depositions of two Defendant PMKs, as well as the site visit of the employee areas
 22 of Defendant’s premises.

23 The nature of the Plaintiffs’ claims and the quantity of evidence that requires analysis by the
 24 Parties in opposing each other’s motions is good cause for allowing both Plaintiff and Defendant an
 25 additional six (6) pages for their Opposition briefs as well as allowing the Parties an additional three
 26 (3) pages for their Reply briefs. *See* Declaration of Leah L. Jones, ECF No. 231-1, attached hereto
 27 as **Exhibit A**; *see also* Declaration of Mary Dollarhide, attached hereto as **Exhibit B**. Defendant’s
 28 Opposition brief will not exceed thirty (30) pages, excluding exhibits, and it shall provide a table of

1 contents and a table of authorities as required by LR 7-3. Similarly, each Parties' Reply brief will
2 not exceed fifteen (15) pages, excluding exhibits, and will also include a table of contents and a table
3 of authorities.

4 Accordingly, based on the foregoing and for good cause, the Parties stipulate and request the
5 Court grant the Defendant leave to file opposition briefs in excess of twenty-four (24) pages but not
6 more than thirty (30) pages, and Reply briefs in excess of twelve (12) pages but not more than fifteen
7 (15) pages.

8 DATED this 14th day of November, 2022.

DATED this 14th day of November, 2022.

9 THIERMAN BUCK LLP

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
P.C.

11 */s/ Leah L. Jones*

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13 Joshua D. Buck
Nevada Bar No. 12187
14 Joshua R. Hendrickson
Nevada Bar No. 12225
15 Leah L. Jones
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17 Attorneys for Plaintiffs

11 */s/ Molly M. Rezac*

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24

ORDER

25

IT IS SO ORDERED.

26


RICHARD E. BOULWARE, II
United States District Court

27

DATED this 16th day of November, 2022.

28

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21 WALKER on behalf of themselves and all
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VENETIAN CASINO RESORT, LLC; and
26 DOES 1 through 50, inclusive,

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INDEX OF EXHIBITS

1	Exhibit A	Declaration of Leah L. Jones
2	Exhibit B	Declaration of Mary Dollarhide

EXHIBIT A
Declaration of Leah L. Jones

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15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 MUSTAFA YOUSIF and SHARONE
18 WALKER on behalf of themselves and all
19 others similarly situated,

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21 vs.

22 THE VENETIAN CASINO RESORT, LLC;
23 LAS VEGAS SANDS, CORP. and DOES 1
24 through 50, inclusive,

25 Defendants.

26 Case No.: 2:16-cv-02941-RFB-NJK

27 **DECLARATION OF LEAH L. JONES IN
28 SUPPORT OF STIPULATION TO
EXCEED PAGE LIMITATION FOR
THE PARTIES REPLIES IN SUPPORT**

I, Leah L. Jones, hereby declare and state as follows:

1. The following declaration is based upon my own personal observation and knowledge, and if called upon to testify to the things contained herein, I could competently so testify.

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2. I am an Associate attorney with Thierman Buck, LLP, and I am admitted to practice law in the states of California and Nevada. I am also admitted to the United States District Court District of Nevada, Central District of California, Northern District of California, Eastern District of California, Southern District of California, the United States Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States.

3. I am one of the attorneys of record for Plaintiffs MUSTAFA YOUSIF and SHARONE WALKER, and all others similarly situated (“Plaintiffs”) in this action against THE VENETIAN CASINO RESORT, LLC and DOES 1 through 50, inclusive (“Defendants” or “Venetian”). Mark R. Thierman, Joshua D. Buck, and Joshua R. Hendrickson are also attorneys of record in this case.

4. Given the lengthy history of this case, voluminous discovery completed, and the Parties' mutual agreement that additional pages are necessary to adequately provide the Court with the law and facts to rule on Plaintiffs' FRCP 23 class certification motion, Plaintiffs request an additional 3 pages in excess of the Court's 12-page limit for their reply in support excluding exhibits, and it shall provide a table of contents and a table of authorities as required by LR 7-3.

5. Plaintiffs do not oppose Defendant's request for additional pages as set forth in the Stipulation and Declaration of Mary Dollarhide.

6. I have read the foregoing declaration and declare under penalty of perjury under the laws of the United States of America and the State of Nevada that the foregoing is true and correct.

Executed on November 14, 2022, in Reno, Nevada.

/s/Leah L. Jones

Leah L. Jones

EXHIBIT B

Declaration of Mary Dollarhide

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25 *The Venetian Casino Resort, LLC*

26 **UNITED STATES DISTRICT COURT**

27 **DISTRICT OF NEVADA**

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32 VEGAS SANDS, CORP. and DOES 1 through 50,
33 inclusive,

34 Defendants.

35 Case No. 2:16-cv-02941-RFB-NJK

36 **DECLARATION OF MARY
DOLLARHIDE IN SUPPORT OF
REQUEST FOR LEAVE TO FILE AN
OPPOSITION BRIEF UP TO
THIRTY (30) PAGES AND A REPLY
BRIEF UP TO FIFTEEN (15) PAGES**

1 I, Mary C. Dollarhide, declare as follows:

2 1. I am an attorney admitted to practice in this matter and a partner with DLA Piper LLP
3 (US), counsel of record for Defendant Venetian Casino Resort, LLC (“Venetian”). I am one of the
4 attorneys responsible for the defense of this action and, in connection with this declaration, have
5 reviewed the discovery in this case. I make this declaration in support of the Parties’ Stipulation
6 and Order to Allow Excess Pages for (1) Defendant’s Opposition to Plaintiffs’ Motion for Class
7 Certification Pursuant to Federal Rule of Civil Procedures 23, and (2) the Parties Reply Briefs (First
8 Request). Except where stated on information and belief, I have personal knowledge of the
9 following and, if called as a witness, I would and could competently testify to all facts in this
10 declaration.

11 2. The Parties have engaged in voluminous discovery in this case, including, but not
12 limited to a discovery Questionnaire, 143 sworn declarations, over 5,800 pages of documents, 2
13 million lines of KRONOS data, several expert reports, the depositions of the Named Plaintiffs
14 Yousif and Walker, depositions of thirteen (13) Opt-In Plaintiffs, the depositions of two Defendant
15 PMKs, as well as the site visit of the employee areas of Defendant’s premises.

16 3. Both the Opposition to Plaintiffs’ Motion for Class Certification Pursuant to Rule of
17 Civil Procedure 23and the Reply In Support of Defendant’s Motion to De-Certify require analysis
18 and evaluation of the extensive data in this case. Thus, to adequately address all the issues involved,
19 Defendant respectfully requests an additional six (6) pages for its Opposition brief and an additional
20 three (3) pages for its Reply brief. Defendant will file an Opposition brief of thirty (30) or less
21 pages and will include a table of contents and a table of authorities, and a Reply brief of fifteen (15)
22 or less pages and will include a table of contents and a table of authorities.

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1 I declare under penalty of perjury under the laws of the United States of America and the
2 State of California that the foregoing is true and correct.

3 EXECUTED this 14th day of November, 2022.
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5 */s/ Mary Dollarhide* _____
6 Mary C. Dollarhide
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